## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

ANNIE C. HOLMES,	)	
Plaintiff,	)	
	)	GWW A GENOVINO OR OCIED D
VS.	)	CIVIL ACTION NO. 03-0615-P-B
	)	
JO ANNE B. BARNHART, Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	

## ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B), and dated January 19, 2006 (doc.30), is hereby ADOPTED as the opinion of this court.

Accordingly, it is ORDERED that the Petition For Authorization of Attorney Fees be and is hereby GRANTED, insofar as petitioner Byron A. Lassiter, counsel of record for the plaintiff, is hereby AWARDED a reasonable attorney's fee in the amount of \$6,472.75 pursuant to 42 U.S.C. § 406(b), for his services on plaintiff's behalf before this court. Upon receipt of this award, petitioner shall refund to plaintiff the smaller attorney-fee award in the amount of \$2,237.50, previously made in this case (see docs.25-26).

DONE the 13<sup>th</sup> day of February, 2006.

S/Virgil Pittman			
SENIOR UNITED S	TATES	DISTRIC	Г JUDGE